

**Proposed Substitute
Bill No. 857**

LCO No. 4625

AN ACT CONCERNING LICENSURE FOR GENETIC COUNSELORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2015*) As used in this section
2 and sections 2 to 7, inclusive, of this act: (1) "Genetic counselor" means
3 a person who has been licensed as a genetic counselor under the
4 provisions of sections 2 to 7, inclusive, of this act; and (2) "genetic
5 counseling" means the provision of services to individuals, couples,
6 families and organizations by an appropriately trained individual to
7 address the physical and psychological issues associated with the
8 occurrence or risk of occurrence of a genetic disorder, birth defect or
9 genetically influenced condition or disease in an individual or a family.

10 Sec. 2. (NEW) (*Effective October 1, 2015*) (a) No person may practice
11 genetic counseling unless licensed pursuant to sections 3 and 4 of this
12 act.

13 (b) No person may use the title "genetic counselor", "licensed genetic
14 counselor", "gene counselor", "genetic consultant", "genetic associate",
15 or the designation "LGC" or make use of any title, words, letters,
16 abbreviations or insignia that may reasonably be confused with
17 licensure as a genetic counselor unless such person is licensed
18 pursuant to sections 3 and 4 of this act.

19 (c) The provisions of this section shall not apply to a person who (1)
20 is licensed under chapter 370 of the general statutes, (2) is an advanced
21 practice registered nurse licensed under chapter 378 of the general
22 statutes, (3) is a nurse-midwife licensed under chapter 377 of the
23 general statutes, (4) provides genetic counseling while acting within
24 the scope of practice of the person's license and training, provided the
25 person does not hold himself or herself out to the public as a genetic
26 counselor, (5) is employed by the federal government to provide
27 genetic counseling while in the discharge of the person's official duties,
28 or (6) is a student enrolled in (A) a genetic counseling educational
29 program, (B) a medical genetics educational program accredited by the
30 American Board of Genetic Counseling, or any successor of said board,
31 or the American Board of Medical Genetics and Genomics, or (C) a
32 graduate nursing or medical education program in genetics, and
33 genetic counseling is an integral part of the student's course of study
34 and such student is performing such counseling under the direct
35 supervision of a licensed genetic counselor or physician.

36 Sec. 3. (NEW) (*Effective from passage*) (a) The Commissioner of Public
37 Health shall grant a license as a genetic counselor to any applicant
38 who, except as provided in subsections (b) and (c) of this section,
39 furnishes evidence satisfactory to the commissioner that such applicant
40 has earned a certification as a genetic counselor from the American
41 Board of Genetic Counseling, or any successor of said board, or the
42 American Board of Medical Genetics and Genomics. The commissioner
43 shall develop and provide application forms. The application fee shall
44 be three hundred fifteen dollars.

45 (b) An applicant for a license as a genetic counselor may, in lieu of
46 the requirements set forth in subsection (a) of this section, submit
47 evidence satisfactory to the commissioner of having, prior to October
48 1, 2015: (1) Acquired eight years of experience in the practice of genetic
49 counseling; (2) earned, from an accredited institution of higher
50 education, a master's or doctoral degree in genetics or a related field;
51 and (3) attended a continuing education program approved by the
52 National Society of Genetic Counselors within the five-year period

53 prior to the date of application.

54 (c) An applicant for licensure by endorsement shall present
55 evidence satisfactory to the commissioner that the applicant is licensed
56 or certified as a genetic counselor, or as a person entitled to perform
57 similar services under a different designation, in another state or
58 jurisdiction that has requirements for practicing in such capacity that
59 are substantially similar to, or higher than, those of this state and that
60 there are no disciplinary actions or unresolved complaints pending.

61 (d) Licenses issued under this section shall be renewed annually.
62 The fee for such renewal shall be one hundred ninety dollars. Each
63 licensed genetic counselor applying for license renewal shall furnish
64 evidence satisfactory to the commissioner of having current
65 certification with the American Board of Genetic Counseling, or any
66 successor of said board, or the American Board of Medical Genetics
67 and Genomics and having obtained continuing education units for
68 certification as required by said boards.

69 Sec. 4. (NEW) (*Effective October 1, 2015*) The Department of Public
70 Health may issue a temporary permit to an applicant for licensure as a
71 genetic counselor who holds a master's degree or higher in genetic
72 counseling or a related field. Such temporary permit shall authorize
73 the holder to practice as a genetic counselor. Such temporary permit
74 shall be valid for a period not to exceed five hundred calendar days
75 after the date of attaining such master's degree or higher and shall not
76 be renewable. Such temporary permit shall become void and shall not
77 be reissued in the event the applicant fails to pass the examination for
78 certification by the American Board of Genetic Counseling, or any
79 successor of said board, or the American Board of Medical Genetics
80 and Genomics. The fee for a temporary permit shall be fifty dollars.

81 Sec. 5. (NEW) (*Effective October 1, 2015*) The Commissioner of Public
82 Health may take any disciplinary action set forth in section 19a-17 of
83 the general statutes against a genetic counselor for any of the following
84 reasons: (1) Failure to conform to the accepted standards of the

85 profession; (2) conviction of a felony; (3) fraud or deceit in obtaining or
86 seeking reinstatement of a license to practice genetic counseling; (4)
87 fraud or deceit in the practice of genetic counseling; (5) negligent,
88 incompetent or wrongful conduct in professional activities; (6)
89 physical, mental or emotional illness or disorder resulting in an
90 inability to conform to the accepted standards of the profession; (7)
91 alcohol or substance abuse; or (8) wilful falsification of entries in any
92 hospital, patient or other record pertaining to genetic counseling. The
93 commissioner may order a license holder to submit to a reasonable
94 physical or mental examination if his or her physical or mental
95 capacity to practice safely is the subject of an investigation. The
96 commissioner may petition the superior court for the judicial district of
97 Hartford to enforce such order or any action taken pursuant to section
98 19a-17 of the general statutes. The commissioner shall give notice and
99 an opportunity to be heard on any contemplated action under section
100 19a-17 of the general statutes.

101 Sec. 6. (NEW) (*Effective October 1, 2015*) The Commissioner of Public
102 Health may adopt regulations, in accordance with the provisions of
103 chapter 54 of the general statutes, to implement the provisions of
104 sections 1 to 6, inclusive, of this act.

105 Sec. 7. Subsection (c) of section 19a-14 of the general statutes is
106 repealed and the following is substituted in lieu thereof (*Effective*
107 *October 1, 2015*):

108 (c) No board shall exist for the following professions that are
109 licensed or otherwise regulated by the Department of Public Health:

110 (1) Speech and language pathologist and audiologist;

111 (2) Hearing instrument specialist;

112 (3) Nursing home administrator;

113 (4) Sanitarian;

114 (5) Subsurface sewage system installer or cleaner;

- 115 (6) Marital and family therapist;
- 116 (7) Nurse-midwife;
- 117 (8) Licensed clinical social worker;
- 118 (9) Respiratory care practitioner;
- 119 (10) Asbestos contractor and asbestos consultant;
- 120 (11) Massage therapist;
- 121 (12) Registered nurse's aide;
- 122 (13) Radiographer;
- 123 (14) Dental hygienist;
- 124 (15) Dietitian-Nutritionist;
- 125 (16) Asbestos abatement worker;
- 126 (17) Asbestos abatement site supervisor;
- 127 (18) Licensed or certified alcohol and drug counselor;
- 128 (19) Professional counselor;
- 129 (20) Acupuncturist;
- 130 (21) Occupational therapist and occupational therapist assistant;
- 131 (22) Lead abatement contractor, lead consultant contractor, lead
132 consultant, lead abatement supervisor, lead abatement worker,
133 inspector and planner-project designer;
- 134 (23) Emergency medical technician, advanced emergency medical
135 technician, emergency medical responder and emergency medical
136 services instructor;
- 137 (24) Paramedic;

- 138 (25) Athletic trainer;
- 139 (26) Perfusionist;
- 140 (27) Master social worker subject to the provisions of section 20-
141 195v;
- 142 (28) Radiologist assistant, subject to the provisions of section 20-74tt;
- 143 (29) Homeopathic physician;
- 144 (30) Certified water treatment plant operator, certified distribution
145 system operator, certified small water system operator, certified
146 backflow prevention device tester and certified cross connection
147 survey inspector, including certified limited operators, certified
148 conditional operators and certified operators in training; [and]
- 149 (31) Tattoo technician; and
- 150 (32) Genetic counselor.

151 The department shall assume all powers and duties normally vested
152 with a board in administering regulatory jurisdiction over such
153 professions. The uniform provisions of this chapter and chapters 368v,
154 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
155 and 400c, including, but not limited to, standards for entry and
156 renewal; grounds for professional discipline; receiving and processing
157 complaints; and disciplinary sanctions, shall apply, except as otherwise
158 provided by law, to the professions listed in this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section
Sec. 2	<i>October 1, 2015</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>October 1, 2015</i>	New section
Sec. 5	<i>October 1, 2015</i>	New section
Sec. 6	<i>October 1, 2015</i>	New section

Sec. 7	<i>October 1, 2015</i>	19a-14(c)
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